

**Notice of Allowability**

Application No.

09/777,036

Examiner

David Ton

Applicant(s)

CUTTER ET AL

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 03/07/2005.
2. ☒ The allowed claim(s) is/are 28-48 which are renumbered to 1-21.
3. ☒ The drawings filed on 05 February 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other \_\_\_\_\_

  
**DAVID TON**  
**PRIMARY EXAMINER**

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***Examiner Amendment***

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

2. In the Specification, on the second line [see attachment (PRELIMINARY AMENDMENT)], after "1997", insert --, now U.S. patent no. 6,185,705--.

***Allowance***

3. Claims 7-12 are allowed.

4. The following is an Examiner's Statement of Reasons for Allowance:

The prior art of record teaches the claimed invention substantially, but it fails to teach or suggest singly or in combination a method and apparatus for determining whether a programmable element in an integrated circuit has been programmed by comparing a voltage at a first node based on a resistance of the programmable element to a voltage at a second node based on a known resistance and producing an output signal having a binary value indicating whether the programmable element has been programmed as set forth in independent claims 28, 31, 32, 36, 42 and 45. Claims 28-48 are allowed because of the combination of additional limitations and the limitation listed above.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Ton whose telephone number is (571) 272-3828. The examiner can normally be reached on M-Th from 5:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Ton  
Primary Examiner  
Art Unit 2133

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David Ton  
Primary Examiner  
Art Unit 2133

Attachment

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: §  
Douglas J. Cutter et al. § Group Art Unit: Unassigned  
§  
Prior Application Serial No.: 08/813,525 §  
Prior Application Filed: March 7, 1997 §  
§  
Serial No.: Unassigned § Examiner: Unassigned  
§  
Filed: Herewith §  
§ Atty. Docket: MCRO:181--1/FLE  
For: METHOD AND APPARATUS FOR § 95-0580.01  
CHECKING THE RESISTANCE §  
OF PROGRAMMABLE ELEMENTS §

Assistant Commissioner  
For Patents  
Washington, D.C. 20231

"EXPRESS MAIL" MAILING LABEL	
NUMBER:	EL 652 335 451 US
DATE OF DEPOSIT:	February 5, 2001
Pursuant to 37 C.F.R. § 1.10, I hereby certify that I am personally depositing this paper or fee with the U.S. Postal Service, "Express Mail Post Office to Addressee" service on the date indicated above in a sealed envelope (a) having the above-numbered Express Mail label and sufficient postage affixed, and (b) addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	
February 5, 2001	<i>Cynthia L. Hayden</i>
Date	Cynthia L. Hayden

Dear Sir:

**PRELIMINARY AMENDMENT**

Prior to examination of the above-referenced application, please amend the application as follows:

**IN THE SPECIFICATION**

Insert before the first line the sentence: --This application is a Continuation of  
application Serial No. 08/813,525, filed March 7, 1997, --  
*now U.S. patent no. 6,185,705*

Page 10, line 19, change "node 5" to -- node 55 --.

Page 12, line 21, change "DVC2" to -- DVC2! --.